



459422

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

AUG 09 2002

Verizon Communications
Corporate Headquarters
1095 Avenue of the Americas
New York, NY 10036

Attention: Ivan Seidenberg, CEO

Re: Required Submission of Information
Lower Darby Creek Area Superfund Site - Clearview Landfill, Folcroft Landfill,
and Folcroft Landfill Annex

Dear Mr. Seidenberg:

The U.S. Environmental Protection Agency ("EPA") is seeking information concerning the release, or threat of release, of hazardous substances, pollutants or contaminants into the environment at the Clearview Landfill ("Clearview"), Folcroft Landfill ("Folcroft"), and Folcroft Landfill Annex ("Folcroft Annex") portions of the Lower Darby Creek Area Superfund site, located in Delaware and Philadelphia Counties, Pennsylvania (hereinafter the "Site").

The Site is located in an industrialized portion of southeastern Delaware County and southwestern Philadelphia County, Pennsylvania, along an approximately two-mile stretch of Darby Creek, between Cobbs Creek to the north and the tidal marsh of John Heinz National Wildlife Refuge at Tinicum to the south (see Enclosure A). The Site also includes contaminated portions of areas along Darby Creek downstream as well as a portion of a 3500-acre tidal marsh.

EPA has reason to believe that wastes generated at locations formerly owned or operated by Bell Telephone may have been transported to and disposed of at the Site, specifically at Clearview, Folcroft, and Folcroft Annex. Clearview is located on the east side of Darby Creek; Folcroft and Folcroft Annex are located on the west side of the creek.

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), EPA has the authority to require Verizon Communications (hereinafter "you"), to furnish all information and documents in your possession, custody or control, or in the possession, custody or control of any of your employees or agents, which concern, refer, or relate

Customer Service Hotline: 1-800-438-2474

to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), pollutants and/or contaminants as defined by Section 101(33) of CERCLA, 42 U.S.C. Section 9601(33), which were transported to, stored, treated, or disposed of at the above-referenced Site.

Section 104 of CERCLA authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

You must respond in writing to this required submission of information within **fifteen (15) calendar days** of your receipt of this letter. For a corporation, the response must be signed by an appropriately authorized corporate official. For all other entities, the response must be signed by an authorized official of that entity.

If, for any reason, you do not provide all information responsive to this letter, then in your answer to EPA you must: (1) describe specifically what was not provided, and (2) provide to EPA an appropriate reason why the information was not provided.

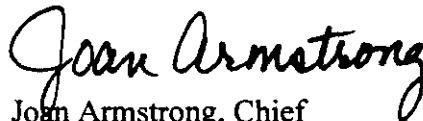
All documents and information should be sent to:

Ms. Carlyn Winter Prisk (3HS11)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501 et seq.

If you have any questions concerning this matter, please contact Civil Investigator Carlyn Winter Prisk at (215) 814-2625, or have your attorney contact Brian Nishitani of EPA's Office of Regional Counsel at (215) 814-2675. To discuss the Site in general or the nature of the cleanup, contact Kristine Matzko, the Remedial Project Manager, at (215) 814-5719.

Sincerely,



Joan Armstrong, Chief
PRP Investigation and
Site Information Section

Enclosures: Enclosure A: Lower Darby Creek Area Site Map
 Enclosure B: Business Confidentiality Claims/Disclosure of Your Response to
 EPA Contractors and Grantees
 Enclosure C: List of Contractors that May Review Your Response
 Enclosure D: Definitions
 Enclosure E: Instructions
 Enclosure F: Questions

cc: Mr. Brian Nishitani (3RC44) EPA Region III, Office of Regional Counsel
 Ms. Kristine Matzko (3HS21) EPA Region III, Remedial Project Manager
 Mr. Craig Olewiler Pennsylvania Department of Environmental Protection
 Ms. April Flipse Pennsylvania Department of Environmental Protection



Enclosure B

Business Confidentiality Claims

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Part 2, Subpart B. Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you. You must clearly mark such claimed information by either stamping or using any other such form of notice that such information is a trade secret, proprietary, or company confidential. To best ensure that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.

Disclosure of Your Response to EPA Contractors and Grantees

EPA may contract with one or more independent contracting firms (See "Enclosure C") to review the documentation, including documents which you claim are confidential business information ("CBI"), which you submit in response to this information request, depending on available agency resources. Additionally, EPA may provide access to this information to (an) individual(s) working under (a) cooperative agreements(s) under the Senior Environmental Employee Program ("SEE Enrollees"). The SEE Program was authorized by the Environmental Programs Assistance Act of 1984 (Pub. L. 98-313). The contractor(s) and/or SEE Enrollee(s) will be filing, organizing, analyzing and/or summarizing the information for EPA personnel. The contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. The SEE Enrollee(s) is working under a cooperative agreement that contains a provision concerning the treatment and safeguarding of CBI. The individual SEE Enrollee has also signed a confidentiality agreement regarding treatment of CBI. Pursuant to Section 104(e)(7) of CERCLA, 42 U.S.C. Section 9604(e)(7) and EPA's regulations at 40 C.F.R. Section 2.310(h), EPA may share such CBI with EPA's authorized representatives which include contractors and cooperators under the Environmental Programs Assistance Act of 1984. (See 58 Fed.Reg. 7187 (1993)). If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of the entities listed in Enclosure C, you must notify EPA in writing at the time you submit such documents.

Enclosure C

List of Contractors That May Review Your Response

- Daston Corporation -
Contract #68-S3-01-01
Subcontractor to Daston Corporation is:
Dynamac Corporation
- Tetra Tech EM, Inc. -
Contract #68-S3-0002
Subcontractor to Tetra Tech EM, Inc. is:
Eagle Instruments, Inc.
- Ecology and Environment, Inc. -
Contract #68-S3-0001
Subcontractor to Ecology and
Environment, Inc. is:
S & S Engineers, Inc.
- IT Corporation -
Contract #68-S3-00-06
Subcontracts to IT Corporation are:
Weavertown Environmental Group
Environmental Restoration Company
- Earth Tech, Inc. -
Contract #68-S3-00-07
Subcontractors to Earth Tech, Inc. are:
Industrial Marine Services, Inc.
Cline Oil
Hertz Equipment Rental
- Guardian Environmental Services, Inc. -
Contract #68-S3-99-04
- ECG Industries, Inc. -
Contract# 68-S3-99-05
Subcontractor to ECG Industries, Inc. is:
Earth Tech, Inc.
- Industrial Marine Services, Inc. -
Contract #68-S3-99-06
Subcontractors to Industrial Marine
Services, Inc. are:
Earth Tech, Inc.
Engineering and Environment, Inc.
- Tetra Tech NUS Inc. -
Contract #68-S6-3003
Subcontractors to Tetra Tech NUS Inc.
are:
Gannett Fleming, Inc.
Dynamic Corporation
C. C. Johnson & Malhotra, P.C.
- CDM-Federal Programs Corporation -
Contract #68-S7-3003
Subcontractors to CDM-Federal
Programs Corporation are:
Tetra Tech EM, Inc.
Robert Kimball & Associates
PMA & Associates
Horne Engineering
Pacific Environmental Services
- Black and Veatch Waste Science and
Technology Corporation/Tetra Tech,
Inc. - Contract #68-S7-3002
- Universe Technologies -
Contract #68-S3-99-02
- Tech Law, Inc. -
Contract #68-W-00-108

List of Cooperative Agreements

- National Association of Hispanic
Elderly - #CQ-822511
- AARP Foundation (Senior
Environmental Employment) -
#824021
#823952

Enclosure D

Definitions

- The term "arrangement" shall mean every separate contract or other agreement or understanding between two or more persons, whether written or oral.
- The term "documents" shall mean writings, photographs, sound or magnetic records, drawings, or other similar things by which information has been preserved and also includes information preserved in a form which must be translated or deciphered by machine in order to be intelligible to humans. Examples of documents include, but are not limited to, electronic mail and other forms of computer communication, drafts, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, receipts, summaries, pamphlets, books, invoices, checks, bills of lading, weight receipts, toll receipts, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, inter-office and intra-office communications, notations of any conversations (including, without limitation, telephone calls, meetings, and other communications such as e-mail), bulletins, printed matter, computer printouts, invoices, worksheets, graphic or oral records or representations of any kind (including, without limitation, charts, graphs, microfiche, microfilm, videotapes, recordings and motion pictures), electronic, mechanical, magnetic or electric records or representations of any kind (including, without limitation, tapes, cassettes, discs, recordings and computer memories), minutes of meetings, memoranda, notes, calendar or daily entries, agendas, notices, announcements, maps, manuals, brochures, reports of scientific study or investigation, schedules, price lists, data, sample analyses, and laboratory reports.
- The term "hazardous substance" means (a) any substance designated pursuant to section 1321(b)(2)(A) of Title 33 [of the U.S. Code], (b) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of [CERCLA], (c) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (42 U.S.C. Section 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act (42 U.S.C. Section 6901 et seq.) has been suspended by Act of Congress), (d) any toxic pollutant listed under section 1317(a) of Title 33, (e) any hazardous air pollutant listed under section 112 of the Clean Air Act (42 U.S.C. Section 7412), and (f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 2606 of Title 15 [of the U.S. Code]. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (a) through (f) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).

- The term "pollutant or contaminant" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations in such organisms or their offspring, except that the term "pollutant or contaminant" shall not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under CERCLA, and shall not include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas).
- The term "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant), but excludes (a) any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons, (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine, (c) release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954 (42 U.S.C. Section 2011 et seq.), if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under section 170 of such Act (42 U.S.C. Section 2210), or, for the purposes of section 9604 of [CERCLA] or any other response action, any release of source, byproduct, or special nuclear material from any processing site designated under sections 7912(a)(1) or 7942(a) of [CERCLA], and (d) the normal application of fertilizer.
- The term "waste" or "wastes" shall mean and include any discarded materials including, but not limited to, trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, pollutants or contaminants, and discarded or spilled chemicals, whether solid, liquid, or sludge.
- The term "you" when referring to an incorporated entity shall mean and include the incorporated entity and its agents and representatives, including, but not limited to, persons directly authorized to transact business on the entity's behalf such as officers, directors, or partners with which the entity is affiliated, employees, accountants, engineers, or other persons who conduct business on the entity's behalf, as well as affiliated entities, including, but not limited to, partnerships, limited liability companies, divisions, subsidiaries, and holding companies.

Enclosure E

Instructions

1. You are entitled to assert a claim of business confidentiality covering any part or all of the information you submit. If you desire to assert a claim of business confidentiality, please see Enclosure B, *Business Confidentiality Claims/Disclosure of Your Response to EPA Contractors and Grantees*. You must clearly mark such information by either stamping or using any other form of notice that such information is a trade secret, proprietary, or company confidential. To ensure to the greatest extent that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.
2. Please provide a separate, detailed narrative response to each question, and to each subpart of each question, set forth in this Information Request. If you fail to provide a detailed response, EPA may deem your response to be insufficient and thus a failure to comply with this Information Request, which may subject you to penalties.
3. Precede each response with the number of the question or subpart of the question to which it corresponds. For each document or group of documents produced in response to this Information Request, indicate the number of the specific question or subpart of the question to which the document(s) responds.
4. Should you find at any time after submission of your response that any portion of the submitted information is false, misrepresents the truth or is incomplete, you must notify EPA of this fact and provide EPA with a corrected written response.
5. Any terms that are used in this Information Request and/or its Enclosures that are defined in CERCLA shall have the meaning set forth in CERCLA. Definitions of several such terms are set forth in Enclosure D, *Definitions*, for your convenience. Also, several additional terms not defined in CERCLA are defined in Enclosure D. Those terms shall have the meaning set forth in Enclosure D any time such terms are used in this Information Request and/or its Enclosures.

Enclosure F

QUESTIONS

1. State the name of your company, its mailing address, and telephone number. Further identify:
 - a. The dates and states of incorporation of your company;
 - b. The date and original state of incorporation of your company; and
 - c. The parent corporation of your company, if any, and all subsidiaries or other affiliated entities.
2. What is the current nature of the business or activity conducted at your establishment(s) in the Philadelphia, Pennsylvania area? What was the nature of your business or activity between 1958 and 1976? Please describe in detail. If the nature of your business or activity changed from the period of 1958 to 1976 to the present, please provide a detailed explanation of the changes to date.
3. Identify all persons currently or formerly employed by your establishment(s) who have or may have personal knowledge of your operations and waste disposal practices between 1958 and 1976 at your facilities in the Philadelphia, Pennsylvania area. For each such person, state that person's employer, job title, dates of employment, current address, and telephone number. If the current telephone number or address is not available, provide the last known telephone number or last known address of such person.
4. Identify the owners and operators of your establishment(s) in the Philadelphia, Pennsylvania area from 1958 to the present. For each owner and operator further provide:
 - a. The dates of their operation;
 - b. The nature of their operation; and
 - c. All information or documents relating to the handling and/or generation, storage, treatment, recycling, formulation, disposal, or transportation of any hazardous substance, hazardous waste, pollutant, contaminant, or other waste during the period in which they were operating the establishment(s).
5. Describe the types of documents generated or maintained by your establishment(s) in the Philadelphia, Pennsylvania area concerning the handling and/or generation, storage, treatment, transportation, recycling, formulation, or disposal of any hazardous substance, hazardous waste, pollutant, contaminant or other waste between 1958 and 1976.

- a. Provide a description of the information included in each type of document and identify the person who was/is the custodian of the documents;
 - b. Describe any permits or permit applications and any correspondence between your company and/or establishment(s), and any regulatory agencies regarding the transportation and disposal of such wastes; and
 - c. Describe any contracts or correspondence between your company and/or establishment(s) and any other company or entity regarding the transportation and disposal of such wastes.
6. Identify every hazardous substance used, generated, purchased, stored, or otherwise handled at your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. Provide chemical analyses and Material Safety Data Sheets ("MSDS"). With respect to each such hazardous substance, further identify:
 - a. The process(es) in which each hazardous substance was used, generated, purchased, stored, or otherwise handled;
 - b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such hazardous substance;
 - c. The annual quantity of each such hazardous substance used, generated, purchased, stored, or otherwise handled;
 - d. The beginning and ending dates of the period(s) during which such hazardous substance was used, generated, purchased, stored, or otherwise handled;
 - e. The types and sizes of containers in which these substances were transported and stored; and
 - f. The persons or companies that supplied each such hazardous substance to your company.
7. Identify all by-products and wastes generated, stored, transported, treated, disposed of, released, or otherwise handled by your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. With respect to each such by-product and waste identified, further provide:
 - a. The process(es) in which each such by-product and waste was generated, stored, transported, treated, disposed of, released, or otherwise handled;
 - b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such by-product or waste;

- c. The annual quantities of each such by-product and waste generated, stored, transported, treated, disposed of, released, or otherwise handled;
 - d. The types, sizes, and numbers of containers used to treat, store, or dispose of each such by-product or waste;
 - e. The name of the individual(s) and/or company(ies) that disposed of or treated each such by-product or waste; and
 - f. The location and method of treatment and/or disposal of each such by-product or waste.
8. Did Verizon Communications ever contract with, or make arrangements with any of the following entities, for the removal or disposal of waste from your facilities/establishments in the Philadelphia area between 1958 and 1976:
- a. Folcroft Landfill Corporation;
 - b. Bernie McNichol;
 - c. Edward Mullin;
 - d. Clearview Land Development Corporation;
 - e. Edward or Richard Heller;
 - f. Tri-County Hauling;
 - g. Eastern Industrial Corporation;
 - h. Marvin Jonas or Jonas Waste Removal;
 - i. Bernard McHugh or McHugh Trash Company;
 - j. S. Buckley (ey) Trash Hauling;
 - k. City Wide Services, Inc.;
 - l. Gene Banta of Gene Banta Trash Removal;
 - m. Schiavo Brothers;
 - n. Charles Crumley or Crumley Waste;
 - o. Harman or Harway Trash;
 - p. Oil Tank Lines;
 - q. Paolino Company;
 - r. Charles Crawley Waste Hauling;
 - s. Ed Lafferty and Son;
 - t. Bazzarie Trash Company;
 - u. Sparky Barnhouse or ABM Disposal Services Company; and
 - v. Any other individual, company, or municipality.
9. For each of the above identified entities with whom Verizon Communications contracted or made arrangements with for waste removal and/or disposal, please identify the following:
- a. The person with whom you made such a contract or arrangement;

- b. The date(s) on which or time period during which such material was removed or transported for disposal;
 - c. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);
 - d. The annual quantity (number of loads, gallons, drums) of such material;
 - e. The manner in which such material was containerized for shipment or disposal;
 - f. The location to which such material was transported for disposal;
 - g. The person(s) who selected the location to which such material was transported for disposal;
 - h. The individuals employed with any transporter identified (including truck drivers, dispatchers, managers, etc.) with whom your establishment dealt concerning removal or transportation of such material; and
 - i. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your possession regarding arrangements made to remove or transport such material.
10. Provide the names, titles, areas of responsibility, addresses, and telephone numbers of all persons who, between 1958 and 1976, may have:
- a. Disposed of or treated materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site;
 - b. Arranged for the disposal or treatment of materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site; and/or
 - c. Arranged for the transportation of materials to Clearview, Folcroft and Folcroft Annex or other areas of the Site (either directly or through transshipment points) for disposal or treatment.
11. For every instance in which your establishment(s) disposed of or treated material at Clearview, Folcroft and Folcroft Annex or other areas of the Site, or arranged for the disposal or treatment of material at the Site, identify:
- a. The date(s) on which such material was disposed of or treated at the Site;
 - b. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);
 - c. The annual quantity (number of loads, gallons, drums) of such material;

- d. The specific location on the Site where such material was disposed of or treated; and
 - e. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your company's or establishment's(s') possession regarding arrangements made to dispose of or treat such material at the Site.
12. Did your establishment(s), or any other company or individual ever spill or cause a release of any chemicals, hazardous substances, and/or hazardous waste, and/or non-hazardous solid waste on any portion of Clearview, Folcroft and Folcroft Annex or any other portion of the Site? If so, identify the following:
- a. The date(s) the spill(s)/release(s) occurred;
 - b. The composition (i.e., chemical analysis) of the materials which were spilled/released;
 - c. The response made by you or on your behalf with respect to the spill(s)/release(s); and
 - d. The packaging, transportation, and final disposition of the materials which were spilled/released.
13. Please identify individuals employed by your establishment(s) who were responsible for arranging for the removal and disposal of wastes, and individuals who were responsible for payments, payment approvals, and record keeping concerning such waste removal transactions at your Philadelphia, Pennsylvania area establishment(s) between 1958 and 1976. Provide current or last known addresses and telephone numbers where they may be reached. If these individuals are the same persons identified by your answer to question 3, so indicate.
14. Did you or any person or entity on your behalf ever conduct any environmental assessments or investigations relating to contamination at Clearview, Folcroft and Folcroft Annex or any other areas of the Site? If so, please provide all documents pertaining to such assessments or investigations.
15. If you have any information about other parties who may have information which may assist the EPA in its investigation of the Site, including Clearview, Folcroft and Folcroft Annex, or who may be responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information. The information you provide in response to this request should include the party's name, address, telephone number, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.
16. Representative of your establishment(s):
- a. Identify the person(s) answering these questions on behalf of your establishment(s), including full name, mailing address, business telephone number, and relationship to

Customer Service Hotline: 1-800-438-2474

the company.

- b. Provide the name, title, current address, and telephone number of the individual representing your establishment(s) to whom future correspondence or telephone calls should be directed.
17. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
- a. Your document retention policy;
 - b. A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;
 - c. A description of the type of information that would have been contained in the documents; and
 - d. The name, job title, and most current address known to you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Lower Darby Creek Area Superfund Site Interview Summary Confidential Source #13



*Printed on 100% recycled/recyclable paper with 100% post-consumer fiber and process chlorine free.
Customer Service Hotline: 1-800-438-2474*

INTERVIEW SUMMARY
Work Assignment ES002
Lower Darby Creek Area Site

[REDACTED]

Prepared for:

U.S. Environmental Protection Agency
Region III
Enforcement Support Services
Hazardous Site Cleanup Division
1650 Arch Street
Philadelphia, PA 19103

Prepared by:

DASTON Corporation
210 West Washington Square
Suite 210
Philadelphia, PA 19106

Work Assignment Number:	ES002
Date Submitted:	May 20, 2002
Contract Number:	68-S3-01-01
EPA Work Assignment Manager:	Carlyn Prisk
Telephone Number:	(215) 814-2625
DASTON Work Assignment Manager:	Eric D. Bailey
Telephone Number:	(215) 923-4404
Interviewer:	Michael McCloskey, Tri-State Enterprise

ENFORCEMENT CONFIDENTIAL

Name:

[REDACTED] (WITNESS)

Affiliation:Former Employee/ SCA and Former
Owner/Operator of [REDACTED]**Telephone:** [REDACTED]**Type of Interview:** In-Person**Date of Interview:** May 9, 2002

On May 9, 2002, the WITNESS was interviewed at his residence by Michael McCloskey of Tri-State Enterprise. The WITNESS was interviewed as part of the potentially responsible party search currently being conducted under Work Assignment NO. ES-002 involving the Lower Darby Creek Area, Delaware County, PA (the "Site"). This interview focused on the Folcroft Landfill (Folcroft). The WITNESS was provided with a copy of the letter of introduction, advised of the nature of the questions to be asked and advised that the interview was voluntary. The WITNESS was asked if he was represented by an attorney in this matter. The WITNESS stated yes and stated that his attorney was present. This interview was not tape-recorded and the following individuals were also present during this interview.

- Carlyn Prisk: Civil Investigator for the United States Environmental Protection Agency (USEPA).
- Joseph F. O'Dea, Jr.: Attorney representing Waste Management and [REDACTED]
- Cathleen Devlin: Attorney representing Waste Management.

During the course of this interview, the WITNESS responded to questions based on guidelines provided by the USEPA for former employees and former owner/operators.

The WITNESS was shown a map of the Site and this map was used throughout the interview. This map is attached to this interview summary.

The WITNESS was asked to explain his association with the Site.

The WITNESS stated that from the mid-1960s to approximately 1973 he owned and operated a waste transport company known as [REDACTED] or [REDACTED]. The WITNESS stated that in 1973 [REDACTED] was purchased by SCA Corporation (SCA) and he was hired by SCA at that time.

The WITNESS was asked if he transported waste to Folcroft while he owned and operated [REDACTED]. The WITNESS stated that he disposed of waste at Folcroft on a daily basis. The WITNESS stated that he owned and operated two 20-cubic yard rear-end loader trash trucks. The WITNESS stated that his business consisted mostly of picking up waste from the Bell Telephone locations in the City of Philadelphia and also from locations in the immediate

ENFORCEMENT CONFIDENTIAL

surrounding area. The WITNESS indicated that these Bell Telephone facilities consisted of office buildings and maintenance garages.

When asked to identify the locations of the Bell Telephone facilities and to describe the waste at each location, the WITNESS stated that the waste was generally the same for the office locations and described this waste as regular office waste such as paper. The WITNESS stated that the waste picked up at Bell Telephone garages was generally the same for all of the garages and he described this waste as corrugated metal, strands of wire (used to hold up telephone poles), and some copper wire. The WITNESS stated that occasionally he would be asked to make some special trash pickups and that this trash usually consisted of the trunk part of telephone poles.

When asked to identify the locations of the Bell Telephone facilities from which waste was picked up and transported to Folcroft, the WITNESS provided the following location information:

- 15th and Arch, Philadelphia, PA: The WITNESS stated this was office waste;
- 17th and JFK, Philadelphia, PA: The WITNESS stated this was office waste;
- 25th and Pine, Philadelphia, PA: The WITNESS stated this was garage waste;
- Broad and Passyunk, Philadelphia, PA: The WITNESS stated this was office waste;
- Lehigh and Indiana, Philadelphia, PA: The WITNESS stated this was garage waste;
- Germantown Avenue, Philadelphia, PA: The WITNESS stated this was office waste;
- Washington Lane, Philadelphia, PA: The WITNESS stated this was garage waste;
- 11th and Indiana, Philadelphia, PA: The WITNESS stated this was garage waste;
- Frankford Avenue, Philadelphia, PA: The WITNESS stated this was garage waste;
- 58th Street, Philadelphia, PA: The WITNESS stated this was garage waste;
- Castor and Cottman, Philadelphia, PA: The WITNESS stated this was garage waste; and
- Roosevelt Boulevard, Philadelphia, PA: The WITNESS stated this was office waste.

The WITNESS stated that [REDACTED] also picked up waste from Bell Telephone facilities in Delaware County, including Upper Darby, Lynwood and Broomall. The WITNESS was not specific about the addresses of these facilities.

When asked the names of other [REDACTED] customers whose waste [REDACTED] had transported to Folcroft, the WITNESS provided the following information:

- An upholstery shop on Spring Street in Philadelphia. The WITNESS could not recall the name of this business.
- A flower shop on Germantown Avenue. The WITNESS could not recall the name of this business.

The WITNESS stated that he also had some special or extra waste transport jobs that operated on an as-needed basis for the Bell Telephone Company. He stated that these special jobs usually consisted of transporting the butt ends of telephone poles to Folcroft.

When asked the names of other drivers for [REDACTED] the WITNESS provided the following names:

- James Dancy
- Jerry Conklin

When asked how [REDACTED] was charged for disposing of waste at Folcroft. The WITNESS stated that there was a shack and later, an old bus located at the entrance of Folcroft. The WITNESS stated that he was charged \$10.00 for each load transported to Folcroft. He indicated that payment was on a cash basis and he usually gave the cash to Ed Mullen, Sr. or Bernie McNichol.

When asked if he was ever asked by Folcroft employees what type of trash he was bringing into the Folcroft Landfill, the WITNESS stated no. When asked if he was ever told by any Folcroft employees not to bring in certain types of waste, the WITNESS stated no. When asked if Folcroft ever refused to accept any type of waste, the WITNESS stated not to his knowledge and he further stated that he believes any type of waste was accepted at Folcroft.

The WITNESS stated that he also owned and operated a business on Folcroft property during the time the landfill was in operation. He called this business Eco Research Systems, Inc. The WITNESS stated that he was in partnership with some other waste transporters and he named one as Ace Services, which was owned by Bill Ells (sp?). The WITNESS stated that this business was experimenting with manufacturing fence posts out of trash. He indicated that the business never got off the ground.

The WITNESS was asked who owned and operated the Folcroft Landfill. The WITNESS stated that Wilber Henderson owned the property, but was not involved in the operation of Folcroft. The WITNESS stated that Bernie McNichol owned the Folcroft Landfill business and he, along with Ed Mullen, Sr., were responsible for the day-to-day operations at Folcroft.

The WITNESS stated that Wilber Henderson was interested in deposits of gravel beneath Folcroft. The WITNESS stated that at some locations on Folcroft, the drag-crane dug down to approximately 80 feet. The WITNESS stated that there was a bed of bar sand under the marsh and under the bar sand was a deposit of gravel. The WITNESS stated that Wilbur Henderson wanted to eventually dig up the gravel for its sale value.

When asked when and how the Folcroft Landfill was closed, the WITNESS stated that in 1973 or 1974, the Pennsylvania Department of Environmental Resources (PADER) informed Bernie McNichol that Folcroft was ordered to close. The WITNESS stated that he did not know the reason for this closure order. The WITNESS stated that the following PADER officials were at the Site during the landfill closure in a supervisory capacity:

- Wayne Lynn
- Bruce Beitler

The WITNESS stated that sometime during this period Bernie McNichol died and Ed Mullen, Sr. took over the responsibility of closing Folcroft and began operating Tri-County Hauling on behalf of the Estate of Bernie McNichol and the Folcroft Landfill Development Corporation.

When asked to describe the activities associated with closing the landfill, the WITNESS stated that closing Folcroft consisted of covering all 55-acres of land that consisted of the

Folcroft Landfill with dirt. The WITNESS stated that a company named Brenneman (sp?) brought in numerous dump truck loads of sand that was used to cover the Folcroft Landfill. The WITNESS stated that this was done under the direction of PADER through Wayne Lynn or Bruce Beitler. The WITNESS stated that he had been told by Wayne Lynn that this sand was from a refinery located in Chester, PA, and that the sand was off-color material. The WITNESS stated that he believed this sand was contaminated in some way. He was unable to recall the name of the refinery or describe this sand any further.

The WITNESS stated that during the time Folcroft was in the process of being closed and no longer receiving waste, Ed Mullen, on behalf of the Bernie McNichol Estate, sold Tri-County Hauling to SCA. SCA continued to operate Tri-County Hauling out of the garage located at Folcroft. The WITNESS stated that SCA then purchased Joseph J. McCann Trash Company. The WITNESS stated that SCA then purchased [REDACTED] and that he was hired by SCA at that time.

The WITNESS stated that Ed Mullen died during the time of the closing of Folcroft. The WITNESS stated that at the time he was an employee of SCA and that he was contacted by Charles Stocker, Esquire, who was the attorney representing the Bernie McNichol Estate and or the Folcroft Landfill Development Corporation. The WITNESS stated that Stocker offered SCA free rent at the garage if the WITNESS was permitted to continue to close Folcroft on behalf of the Folcroft Landfill Development Corporation and/or the Bernie McNichol Estate. The WITNESS stated that this arrangement was agreed to by SCA and that he, in close coordination with PADER, finished closing the Folcroft Landfill.

The WITNESS was asked the names of other waste disposal companies that disposed of waste at the Folcroft Landfill. The WITNESS provided the following:

- Ace Services: The WITNESS had named Ace while describing Eco Systems.
- Charles Crumly: The WITNESS stated that Crumly operated 4-5 rear-end loader trucks.
- Tri-County Hauling: Had a garage on the Site and operated roll-off and rear-end loader trucks.
- Buckley Construction: Construction company that built bridges.
- McCloskey Construction: Construction company owned by Matt McCloskey that built large structures including Veterans Stadium in Philadelphia
- Eastern Industrial: This company had roll-off containers and rear-end and compactor trucks. This company picked up waste from the Boeing Plant among many other locations. The WITNESS stated that Eastern was owned by Doc Mahan (sp?) and operated by John Alex and John Moore.
- Gene Banta Trash
- Crispin Brothers Trash
- Lafferty and Sons
- Barrett Roofing: The WITNESS stated that this company was located at 36th Street and Grays Ferry in Philadelphia and disposed of tar shingles at Folcroft.
- New Way Trash (sp?) or Nu Way (sp?): The WITNESS stated that New Way picked up waste from Scott Paper.
- PECO: The WITNESS stated that PECO had its own dump trucks that disposed of waste at Folcroft.

When asked if he had observed any drum waste disposed of at Folcroft, the WITNESS stated no.

When asked if he had observed any liquid waste disposed if at Folcroft, the WITNESS stated yes and provided the following.

- Marvin Jonas: The WITNESS stated that Marvin Jonas operated tanker trucks with capacities of from 5000-gallons to 10,000-gallons. He indicated that he recalls observing a tanker truck dispose of liquid waste at Folcroft at least one time each week. The WITNESS did not know what this liquid waste was and could not recall an odor to the waste.
- Sparky Barnhouse: The WITNESS stated that Sparky Barnhouse disposed of liquid waste from tanker trucks. He did not know where the waste was from. He was unable to describe any odor to this waste.

The WITNESS was asked the names of companies that Tri-County Hauling picked up from and disposed of at Folcroft. The WITNESS provided the following.

- Bruder Paints
- Philadelphia Navy Yard
- Post Office at 30th Street
- U.S. Mint
- Schiavo Brothers
- General Electric Company
- Hospital, University of Pennsylvania: The witness stated that Tri-County picked up organs in plastic bags from a room at this location. He indicated that he accompanied a driver, Ben Mathews, on at least one occasion. He indicated that the plastic bags were put in a compactor container and compacted. He stated that Ben Mathews now lives in Alabama.

When asked the names of individuals that worked at Folcroft, the WITNESS provided the following.

- Ed Mullen
- Ed Mullen, Jr: Bulldozer operator
- Gordon Garling: Bulldozer operator
- Henry Sanders: Bulldozer operator
- Sonny Maxwell: Picker
- Bobby Williams: Crane operator

The WITNESS was asked if he had observed a company known as Oil Tank Lines dispose of waste at the Folcroft Landfill. The WITNESS stated that he does not recall.

"I declare under penalty of perjury that the foregoing is true and correct"

Executed on _____
(Date)

Signed _____
(Name)

Please have signature witnessed
on both copies of the agreement
and return both copies to:

Mr. R. G. Andres
Bell of Pennsylvania
One Parkway, 7th Floor
Philadelphia, Pa. 19102

A fully executed copy will be
returned to you.

WICC 0017454

WM013575

THIS AGREEMENT, made this day of A.D. between THE BELL TELEPHONE COMPANY OF PENNSYLVANIA, a corporation created under the laws of the Commonwealth of Pennsylvania, having its principal office in the City and County of Philadelphia, Commonwealth of Pennsylvania, hereinafter called Telephone Company, party of the first part, and S.C.A. SERVICES, INCORPORATED, 1521 Locust Street, 5th Floor, Philadelphia, Pennsylvania, hereinafter called Contractor, party of the second part.

WITNESSETH, in consideration of mutual covenants hereinafter stated, the parties hereto agree as follows:

1. Contractor hereby agrees to remove Cardboard and Rubbish from various locations occupied by Telephone Company in Philadelphia, Pennsylvania, in accordance with the attached specifications, dated December 1, 1975, which form a part of this agreement, and for the respective consideration therein set forth, attached hereto as Exhibit "A", and made part hereof.
2. Upon the full and faithful performance to the satisfaction of the Telephone Company of work authorized to be performed hereunder, Telephone Company shall pay Contractor the rates as provided in the next preceding paragraph. The said rates shall include Contractor's entire compensation for labor, supervision, transportation, taxes, administration, profit and other expenses.
3. This agreement shall take effect February 1, 1976 and may be terminated by either party giving to the other at least thirty (30) days previous notice in writing of intention to so terminate; provided, that the Telephone Company reserves the right to terminate this agreement at any time, upon immediate written notice to Contractor, if in the opinion of the Telephone Company, the work is unsatisfactory or does not meet the requirements herein set forth. No cancellation shall release Contractor from any liability that may have been incurred under the provisions of the agreement prior to the cancellation.
4. Upon written notice by either party hereto, the location or locations to be serviced hereunder, the services to be rendered and the consideration therefor shall be subject to renegotiation. Any changes mutually agreed to by the parties as a result of such renegotiation shall be evidenced by letter agreement which shall set forth the changes to be made and provide for the continuation of all other terms and covenants of this Agreement and the Exhibits or Attachments thereto and which shall be signed by the General Services Manager, or his duly authorized representative, for the Telephone Company and by the Contractor.
5. All work done by Contractor shall be done during the hours from 8:00 A.M. to 5:00 P.M., Monday through Friday, except when requested otherwise or when special arrangement for admittance before or after scheduled hours is made with the Telephone Company Supervisor in charge.
6. Contractor shall not do anything that shall in any manner interfere with the rights under the National Labor Relations Act of any of the employees of the Telephone Company.

7. Contractor shall employ only competent and experienced personnel and shall carefully and diligently perform the service provided for herein. All labor employed by Contractor in connection with performing the services provided for under this agreement shall be subject to the exclusive control and supervision of Contractor, provided however, Telephone Company shall have the right to determine that said results are being satisfactorily achieved. The presence or absence of any Telephone Company's Representative shall not affect the liability of Contractor in the performance and quality of the services.
8. Contractor agrees that ingress and egress to Telephone Company's premises by him or his employees shall be limited to the reasonably necessary movements required by the terms of this agreement.
9. Contractor and his employees shall comply with Telephone Company rules and regulations governing admittance to Telephone Company property.
10. Telephone Company reserves the right to refuse admittance to any employee of Contractor who does not present proper identification, or who may be objectionable to Telephone Company.
11. Contractor shall be responsible for the conduct of all of his employees while working on Telephone Company premises and Contractor and his employees are positively forbidden to smoke on Telephone Company premises, excepting in designated smoking areas.
12. Contractor shall perform work in such a manner as not to interfere with the business of the Telephone Company. Contractor shall apply adequate supervision to the performance of the work to insure completion of the work in a manner satisfactory to the Telephone Company, exercising particular care to protect property and personnel of the Telephone Company and/or the Public from damage and/or injury, and shall furnish any additional protection necessary.
13. Contractor shall be liable for, shall save and hold harmless, and shall indemnify and defend Telephone Company and its employees, agents, representatives, successors and assigns, against all suits, actions, claims, demands and judgments, and all costs, expenses and counsel fees incurred on account thereof, including but not limited to those based upon injuries, sickness or disease to persons, including death resulting therefrom, or damages to property, including loss of use thereof, arising out of and resulting directly or indirectly from the performance or nonperformance of work under this Agreement or in connection therewith, including but not limited to the presence of employees of Contractor or a subcontractor on Telephone Company's property, and whether or not such loss, injury or damage is attributed to the fault, failure, or negligence of the Contractor, his subcontractors, agents or representatives, Telephone Company or others, and whether discovered before or after completion of work under this Agreement, even if such suit or claim be groundless, false or fraudulent. Nothing herein is intended to confer any additional rights in third parties against either the Contractor or Telephone Company. Contractor shall carry insurance to protect Contractor and Tele-

WM013577

WICC 0017456

14. Insurance certificates evidencing Contractor's Workmen's Compensation and Occupational Disease Insurance; General Liability - Contractual Agreements or Owner's Protective Liability Insurance must be on file with Telephone Company's Claims Supervisor, Philadelphia Area, One Parkway, 12th Floor, Philadelphia, Pennsylvania 19102.
15. Contractor shall comply with all Federal, State and Municipal laws, including those regarding Labor; Workmen's Compensation and Social Security.
16. Contractor shall not assign, transfer or sublet this agreement without the written consent of Telephone Company, nor shall Contractor assign any money due or to become due him hereunder without the previous written consent of the Telephone Company.
17. Subject to the provisions of the next preceding paragraph, the contract shall extend to and bind the heirs, executors, administrators, successors and assigns of the parties to the contract.
18. This contract on and after its effective date supersedes and cancels contract between the parties hereto dated.

IN WITNESSETH WHEREOF, the parties hereto have caused this agreement to be duly executed the day and year first above written.

ATTEST:

THE BELL TELEPHONE COMPANY
OF PENNSYLVANIA

Assistant Secretary

General Services Manager

WITNESS:

S.C.A. SERVICES INCORPORATED

X 
President

WM013578

WICC 0017457

December 1, 1975

CARDBOARD CARTONS AND RUBBISH REMOVAL-SOUTH DISTRICT

<u>Address</u>	<u>Collection Frequency</u>	<u>Facilities</u>
423 S. 17th St. <u>\$75.00</u> per month	Three times weekly Mon., Wed., Fri.	Trash room in basement. Load from front door. Carry through basement up steps to vestibule.

Bill for this location to be sent to:

Bell Telephone Company
Utility Maintenance Foreman
500 S. 27th St., 1st Floor
Philadelphia, Pennsylvania 19146

Total Cost Per Month \$75.00

2000 S. Broad St. <u>\$80.00</u> per month	Three times weekly- pick up before 8 AM Mon., Wed., Fri.	Pick up rear yard. Load from Passyunk Ave.
5400 Woodland Ave. <u>\$50.00</u> per month	Twice weekly Tues., & Fri.	9 steps to rear yard at ground level. Load on 54th St. side

Bill for these two locations to be submitted monthly to:

Bell Telephone Company
Utility Maintenance Foreman - South
900 Race St., - Basement
Philadelphia, Pennsylvania 19107

Approximate volume may be obtained by calling Mr. P. Rolfe on 466-5765.

Total cost per month \$130.00

December 1, 1975

CARDBOARD CARTON AND RUBBISH REMOVAL - GERMANTOWN DISTRICT

<u>Address</u>	<u>Collection Frequency</u>	<u>Facilities</u>
4334 Terrace <u>\$70.00</u> per month	Twice weekly Tues. & Thurs.	Storage in rear yard.
26 W. Cheltenham Ave. <u>\$100.00</u> per month	Daily	Movable 1½ yard bin. Rear yard.
8318 Germantown Ave. <u>\$65.00</u> per month	Twice weekly Tues. & Thurs.	Mechanical hoist from boiler room level to sidewalk. Load on Germantown Ave. side.
256 Washington La. *Wood poles cut *Iron poles cut Tree prunings <u>\$200.00</u> per month	Daily Weekly-Friday Weekly-Friday Weekly-Friday	Drive into garage. Store at two locations. (one on each floor level.)
3429 N. 17th St. <u>\$65.00</u> per month	Twice weekly Tues. & Thurs.	Storage in side yard. Load from Smedley St.

* Note: 256 W. Washington Lane -- Only Wood Pole and Iron Poles that will fit into the truck will be picked up.

Bill to be submitted monthly to:

Bell Telephone Company
Utility Maintenance Foreman-Germantown
1347 W. Cheltenham Avenue - 2nd Floor
Philadelphia, Pennsylvania 19126

Approximate volume may be obtained by calling Mr. Pete Carr on 276-4863

Total cost per month \$500.00

December 1, 1975

CARDBOARD CARTON AND RUBBISH REMOVAL-NORTHEAST DISTRICT

<u>Address</u>	<u>Collection Frequency</u>	<u>Facilities</u>
4808 Leiper St. <u>\$180.00</u> per month	Three times weekly Mon., Wed., & Fri.	Two containers in rear yard.
4744 Oxford Ave. <u>\$75.00</u> per month	Three times weekly Mon., Wed., & Fri.	Hoist from boiler room level to sidewalk. Load on Penn St. side.
5800 Bustleton Ave. <u>\$154.00</u> per month	Three times weekly Mon., Wed., & Fri.	Drive into garage. Storage on the street level.
7180 Charles St. <u>\$75.00</u> per month	Twice weekly Tues., & Thurs.	Container in rear yard.
2210 Lott Ave. <u>\$80.00</u> per month	Three times weekly Mon., Wed., & Fri.	Carry up from basement trash room
2033 Byberry Rd. <u>\$205.00</u> per month	Three times weekly Mon., Wed., & Fri.	Three storage bins outside (Two locations).
11016 Knights Rd. <u>\$70.00</u> per month	Weekly - Mondays	Carry up rear outside steps from basement.

Bill to be submitted monthly to:

Bell Telephone Company
Utility Foreman-Northeast
1347 W. Cheltenham Avenue
Philadelphia, Pennsylvania 19126

Approximate volume may be obtained by calling Mr. Bob Freed on 276-4864

Total cost per month \$839.00

December 1, 1975

CARDBOARD CARTON AND RUBBISH REMOVAL - CENTER CITY

<u>Address</u>	<u>Collection Frequency</u>	<u>Facilities</u>
One Parkway <u>\$200.00</u> per month	Daily	Remove from the basement using the freight elevator to the load- ing platform.

Bill to be submitted monthly to:

Bell Telephone Company
Utility Maintenance Foreman - Mezzanine
One Parkway
Philadelphia, Pennsylvania 19102

Approximate volume may be obtained by calling Mr. Milt Roemer on 466-5413.

Total Cost Per Month \$200.00

1631 Arch St. <u>\$100.00</u> per month	Daily	Sidewalk elevator from boiler room level. Load on Parkway side.
--	-------	---

Bill to be submitted monthly to:

Bell Telephone Company
Utility Maintenance Foreman
1631 Arch Street - Loft Floor
Philadelphia, Pennsylvania 19103

Approximate volume may be obtained by calling Mr. Jack Sablich on 466-2228.

Total Cost Per Month \$100.00

1835 Arch St. <u>\$60.00</u> per month	Daily	Pickup side dock Cafeteria refuse
---	-------	--------------------------------------

Bill to be submitted monthly to:

Bell Telephone Company
Utility Maintenance Foreman
1835 Arch Street - 3rd Floor
Philadelphia, Pennsylvania 19103

Approximate volume may be obtained by calling Mr. W. Hartranft on 561-4651.

Total Cost Per Month \$60.00

WM013582

December 1, 1975

<u>Address</u>	<u>Collection Frequency</u>	<u>Facilities</u>
22nd & Race St. <u>\$50.00</u> per month	3 times weekly Mon., Wed., Fri.	Drive into garage. Storage on Street Level.
1710 Wood St. <u>\$100.00</u> per month	3 times weekly Mon., Wed., Fri.	Drive into garage. Storage on Street Level.

Bill to be submitted monthly to:

Bell Telephone Company
Utility Maintenance Foreman
500 S. 27th Street - 1st Floor
Philadelphia, Pennsylvania

Approximate volume for the two previous locations may be obtained by calling
Mr. R. Ayer on KI5-3520.

Total Cost Per Month \$150.00

900 Race St. <u>\$265.00</u> per month	Daily-(Must pick up rear yard before 11 AM or after 2 PM)	9th St. Side
---	---	--------------

205 Race St. <u>\$60.00</u> per month	Every Friday
--	--------------

Bill to be submitted monthly to:

Bell Telephone Company
Utility Maintenance Foreman
900 Race Street - Basement
Philadelphia, Pennsylvania 19107

Approximate volume for the two previous locations may be obtained by calling
Mr. A. Tapia on 466-5765.

Total Cost Per Month \$325.00

William P. Mathers
Vice President

The Bell Telephone Company
of Pennsylvania

One Parkway
Philadelphia, Pennsylvania 19102
Phone (215) 466-9900

Tri-County Hauling
1777 Calcon Hook Road
Sharon Hill, Pennsylvania 19079

Gentlemen:

Please refer to Exhibit "A" of the Agreement between our companies dated January 19, 1976 covering the removal of trash in the Philadelphia Area.

As per your request, we hereby agree to substitute for the existing Exhibit "A", a new Exhibit "A" in the form attached to this letter. The proposed Exhibit "A" would increase all trash removal prices as outlined.

This letter shall in no way alter or amend the Agreement dated January 19, 1976, except as specifically herein set forth.

If this proposal meets with your approval, please sign the enclosed copy of this letter and return it to the Contract Administrator, 7th Floor, One Parkway, Philadelphia, Pennsylvania, 19102.

Upon receipt thereof by the Telephone Company, this letter shall constitute a binding amendment of the Agreement of January 19, 1976 as herein provided, and the attached Exhibit "A" shall take immediate effect.

Sincerely,

William P. Mathers

Attachment

ACCEPTED:

TRI-COUNTY HAULING

By _____
Title

Date

WM013584

WICC 0011768

Revised June, 1978

EXHIBIT "A"

PAGE 1

CARDBOARD CARTON AND RUBBISH REMOVAL

NORTHEAST DISTRICT

<u>Address</u>	<u>Collection Frequency</u>	<u>Facilities</u>
4808 Leiper Street <u>\$195.00</u> per month	Three times weekly Mon., Wed. & Fri.	Two containers in rear yard.
4744 Oxford Avenue <u>\$159.00</u> per month	Three times weekly Mon., Wed. & Fri.	Hoist from boiler room level to sidewalk. Load on Penn Street side.
5800 Bustleton Avenue <u>\$170.00</u> per month	Three times weekly Mon., Wed. & Fri.	Drive into garage. Storage on the street level.
7180 Charles Street <u>\$83.00</u> per month	Twice weekly Tues. & Thurs.	Container in rear yard.
2210 Lott Avenue <u>\$89.00</u> per month	Three times weekly Mon., Wed. & Fri.	Carry up from basement trash room.
2033 Byberry Road <u>\$224.00</u> per month	Three times weekly Mon., Wed. & Fri.	Three storage bins outside (two locations).
11016 Knights Road <u>\$77.00</u> per month	Weekly - Mondays	Carry up rear outside steps from basement.

Bill to be submitted monthly to:

Bell Telephone Company
Building Maintenance Foreman
1347 W. Cheltenham Avenue
Philadelphia, Pennsylvania 19126

Approximate volume may be obtained by calling Mr. Bob Freed on 276-4864

Total cost per month - \$997.00

WM013585

Revised June, 1978

EXHIBIT "A"

PAGE 2

CARDBOARD CARTON AND RUBBISH REMOVAL

GERMANTOWN DISTRICT

<u>Address</u>	<u>Collection Frequency</u>	<u>Facilities</u>
4334 Terrace <u>\$78.00</u> per month	Twice weekly Tues. & Thurs.	Storage in rear yard.
26 W. Cheltenham Ave. <u>\$111.00</u> per month	Daily	Moveable 1 1/2 yard bin. Rear yard.
8318 Germantown Ave. <u>\$72.00</u> per month	Twice weekly Tues. & Thurs.	Mechanical hoist from boiler room level to sidewalk. Load on Germantown Ave. side.
100 E. Armat St. <u>\$333.50</u> per month	Daily	Storage in rear yard.
3429 N. 17th St. <u>\$72.00</u> per month	Twice Weekly Tues. & Thurs.	Storage in side yard. Load from Smedley St.

Bill to be submitted monthly to:

Bell Telephone Company
Building Maintenance Foreman - Germantown
1347 W. Cheltenham Avenue - 2nd Floor
Philadelphia, Pennsylvania 19126

Approximate volume may be obtained by calling Mr. Peter Carr on 276-4863

Total cost per month - \$666.50

WM013586

WICC 0017970

Revised June, 1978

EXHIBIT "A"

PAGE 3

CARDBOARD CARTON AND RUBBISH REMOVAL

CENTER CITY

<u>Address</u>	<u>Collection Frequency</u>	<u>Facilities</u>
One Parkway <u>\$230.00</u> per month	Daily	Remove from the basement using the freight elevator to the loading platform.

Bill to be submitted monthly to:

Bell Telephone Company
Building Maintenance Foreman
One Parkway - Mezzanine
Philadelphia, Pennsylvania 19102

Approximate volume may be obtained by calling Mr. A. Tapia on 466-5413.

Total cost per month - \$230.00

1631 Arch St. <u>\$130.00</u> per month	Daily	Sidewalk elevator from boiler room level. Load on Parkway side.
--	-------	---

Bill to be submitted monthly to:

Bell Telephone Company
Building Maintenance Foreman
1631 Arch Street - Loft Floor
Philadelphia, Pennsylvania 19103

Approximate volume may be obtained by calling Mr. Jack Sablich on 466-2228.

Total cost per month - \$130.00

1835 Arch St. <u>\$75.00</u> per month	Daily	Pick up side dock Cafeteria refuse
---	-------	---------------------------------------

Bill to be submitted monthly to:

Bell Telephone Company
Building Maintenance Foreman
1835 Arch Street - 3rd Floor
Philadelphia, Pennsylvania 19103

WM013587

Approximate volume may be obtained by calling Mr. D. Connelly on 561-4651.

Total cost per month - \$75.00

WICC 0017971

EXHIBIT "A"

PAGE 4

CARDBOARD CARTON AND RUBBISH REMOVAL

SOUTH DISTRICT

<u>Address</u>	<u>Collection Frequency</u>	<u>Facilities</u>
423 S. 17th St. <u>\$86.00</u> per month	Three times weekly Mon., Wed. & Fri.	Trash room in basement. Load from front door. Carry through basement up steps to vestibule.

Bill to be submitted monthly to:

Bell Telephone Company
Building Maintenance Foreman
500 S. 27th St., 1st Floor
Philadelphia, Pennsylvania 19146

Total cost per month \$86.00

2000 S. Broad St. <u>\$86.00</u> per month	Three times weekly- pick up before 8 AM Mon., Wed. & Fri.	Pick up rear yard. Load from Passyunk Ave.
5400 Woodland Ave. <u>\$55.00</u> per month	Twice weekly Tues. & Fri.	9 steps to rear yard at ground level. Load on 54th St. side.

Bill to be submitted monthly to:

Bell Telephone Company
Building Maintenance Foreman - South
900 Race St., Basement
Philadelphia, Pennsylvania 19007

Approximate volume may be obtained by calling Mr. F. Bass on 466-5765.

Total cost per month - \$141.00

22nd & Race St. <u>\$65.00</u> per month	Three times weekly Mon., Wed. & Fri.	Drive into garage. Storage on street level.
---	---	--

Bill to be submitted monthly to:

Bell Telephone Company
Building Maintenance Foreman
1835 Arch Street, 3rd Floor
Philadelphia, Pennsylvania 19103

WM013588

Approximate volume may be obtained by calling Mr. D. Connelly on KI5-3520.

Total cost per month - \$65.00

WICC 0017972

Revised June, 1978

EXHIBIT "A"

PAGE 5

<u>Address</u>	<u>Collection Frequency</u>	<u>Facilities</u>
900 Race St. <u>\$829.00</u> per month	Daily pickup (rear yard before 11 AM or after 2 PM)	9th Street side

Bill to be submitted monthly to:

Bell Telephone Company
Building Maintenance Foreman
900 Race St., Basement
Philadelphia, Pennsylvania 19107

Total cost per month - \$289.00

205 Race St.
\$60.00 per month

Every Friday

Bill to be submitted monthly to:

Bell Telephone Company
Building Maintenance Foreman
One Parkway, Mezzanine
Philadelphia, Pennsylvania 19102

Total cost per month - \$60.00

WM013589

WICC 0017973



Office of Enforcement and Compliance Assurance **INFORMATION SHEET**

U.S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance and tools to assist you in complying with federal and State environmental laws. These resources can help you understand your environmental obligations, improve compliance and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. Many public libraries provide access to the Internet at minimal or no cost.

EPA's Small Business Home Page (<http://www.epa.gov/sbo>) is a good place to start because it links with many other related websites. Other useful websites include:

EPA's Home Page
<http://www.epa.gov>

Small Business Assistance Programs
<http://www.epa.gov/ttn/sbap>

Compliance Assistance Home Page
<http://www.epa.gov/oeca/oc>

Office of Site Remediation Enforcement
<http://www.epa.gov/oeca/osre>

Hotlines, Helplines and Clearinghouses

EPA sponsors approximately 89 free hotlines and clearinghouses that provide convenient assistance on environmental requirements.

EPA's Small Business Ombudsman Hotline can provide a list of all the hot lines and assist in determining the hotline best meeting your needs. Key hotlines include:

EPA's Small Business Ombudsman
(800) 368-5888

Hazardous Waste/Underground Tanks/
Superfund
(800) 424-9346

National Response Center
(to report oil and hazardous substance spills)
(800) 424-8802

Toxics Substances and Asbestos Information
(202) 554-1404

Safe Drinking Water
(800) 426-4791

Stratospheric Ozone and Refrigerants
Information
(800) 296-1996

Clean Air Technical Center
(919) 541-0800

Wetlands Hotline
(800) 832-7828

Continued on back



U.S. EPA SMALL BUSINESS RESOURCES

Compliance Assistance-Centers

In partnership with industry, universities, and other federal and state agencies, EPA has established national Compliance Assistance Centers that provide Internet and "faxback" assistance services for several industries with many small businesses. The following Compliance Assistance Centers can be accessed by calling the phone numbers below and at their respective websites:

Metal Finishing

(1-800-AT-NMFRC or www.nmfrc.org)

Printing

(1-888-USPNEAC or www.pneac.org)

Automotive Service and Repair

(1-888-GRN-LINK or www.ccar-greenlink.org)

Agriculture

(1-888-663-2155 or www.epa.gov/oeca/ag)

Printed Wiring Board Manufacturing

(1-734-995-4911 or www.pwbrc.org)

The Chemical Industry

(1-800-672-6048 or www.chemalliance.org)

The Transportation Industry

(1-888-459-0656 or www.transource.org)

The Paints and Coatings Center

(1-800-286-6372 or www.paintcenter.org)

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information. For assistance in reaching state agencies, call EPA's Small Business Ombudsman at (800)-368-5888 or visit the Small Business Environmental Homepage at <http://www.smallbiz-enviroweb.org/state.html>.

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations, businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses: The Audit Policy (<http://www.epa.gov/oeca/auditpol.html>) and the Small Business Policy (<http://www.epa.gov/oeca/>

[smbusi.html](http://www.epa.gov/oeca/smbusi.html)). These do not apply if an enforcement action has already been initiated.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an ombudsman ("SBREFA Ombudsman") and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The SBREFA Ombudsman will annually rate each agency's responsiveness to small businesses. If you believe that you fall within the Small Business Administration's definition of a small business (based on your Standard Industrial Code (SIC) designation, number of employees or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act (SBREFA) or related provisions.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only: No Insurance Coverage Provided)

7001 1140 0001 1045 0117

OFFICE

Postage \$
Certified Fee
Return Receipt Fee
(Endorsement Required)
Restricted Delivery Fee

Postmark
Here

Verizon Communications
Corporate Headquarters
1095 Avenue of the Americas
New York, NY 10036
Attn Ivan Seidenberg, CEO